

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hiroyuki ADACHI, Toichi HIRATA,  
Genroku SUGIYAMA, Hiroshi WATANABE,  
Koichi SHIBATA, Hideki KOMATSU

Application No.: US National Stage of PCT/JP01/02810

Filed: November 29, 2001

Docket No.: 111232

For: CONSTRUCTION MACHINE REFUELING SYSTEM AND CONSTRUCTION  
MACHINE

PRELIMINARY AMENDMENT

Director of the U.S. Patent and Trademark Office  
Washington, D. C. 20231

Sir:

Prior to initial examination, please amend the above-identified application as follows:

IN THE CLAIMS:

Please replace claims 3-6 and 10-11 as follows:

3. (Amended) A construction machine refueling system according to claim 1,  
wherein:  
said construction machine is further provided with a positional information detector  
that detects positional information of the construction machine; and  
said transmitter also transmits the detected positional information when transmitting.
4. (Amended) A construction machine refueling system according to claim 1,  
further comprising:  
a base station side transmitter that is provided at the base station side and transmits a  
request of refueling based on information received by the receiver, to a tie-up station.
5. (Amended) A construction machine refueling system according to claim 1,  
further comprising:

a base station side transmitter that is provided at the base station side and transmits information received by the receiver to a user side receiver that is provided at a user side of the construction machine.

10. (Amended) A construction machine refueling system according to claim 8, wherein said selector selects the optimum refueling location based on a residual fuel amount transmitted from the construction machine.

11. (Amended) A construction machine refueling system according to claim 8, wherein said selector reads out data relating to the plurality of refueling locations from a specified database, and selects the optimum refueling location based on the read out data.

REMARKS

Claims 1-15 are pending. By this Preliminary Amendment, claims 3-5 and 10-11 are amended to eliminate multiple dependencies. Prompt and favorable consideration on the merits is respectfully requested.

The attached Appendix includes marked-up copies of each rewritten claim (37 C.F.R. §1.121(c)(1)(ii)).

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Thomas J. Pardini  
Registration No. 30,411

JAO:TJP/zmc  
Attached: APPENDIX  
Date: November 29, 2001

OLIFF & BERRIDGE, PLC  
P.O. Box 19928  
Alexandria, Virginia 22320  
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
--

## APPENDIX

## Changes to Claims:

3. (Amended) A construction machine refueling system according to claim 1 ~~or~~  
~~claim 2~~, wherein:

said construction machine is further provided with a positional information detector  
that detects positional information of the construction machine; and

said transmitter also transmits the detected positional information when transmitting.

4. (Amended) A construction machine refueling system according to claim 1 ~~any~~  
~~one of claim 1 through claim 3~~, further comprising:

a base station side transmitter that is provided at the base station side and transmits a  
request of refueling based on information received by the receiver, to a tie-up station.

5. (Amended) A construction machine refueling system according to claim 1 ~~any~~  
~~one of claim 1 through claim 3~~, further comprising:

a base station side transmitter that is provided at the base station side and transmits  
information received by the receiver to a user side receiver that is provided at a user side of  
the construction machine.

10. (Amended) A construction machine refueling system according to claim 8 ~~or~~  
~~claim 9~~, wherein said selector selects the optimum refueling location based on a residual fuel  
amount transmitted from the construction machine.

11. (Amended) A construction machine refueling system according to claim 8 ~~or~~  
~~claim 9~~, wherein said selector reads out data relating to the plurality of refueling locations  
from a specified database, and selects the optimum refueling location based on the read out  
data.